

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

MASSACHUSETTS DEVELOPMENT)
FINANCE AGENCY)

Plaintiff,)

v.)

C.A. No. 04 CV 10203 PBS

ADP MARSHALL, INC., a FLUOR)
DANIEL COMPANY, and FIREMAN'S)
FUND INSURANCE COMPANY)
Defendants.)

ADP MARSHALL, INC.)
Plaintiff-in-Counterclaim,)

v.)

MASSACHUSETTS DEVELOPMENT)
FINANCE AGENCY)
Defendant-in-Counterclaim.)

ADP MARSHALL, INC.)
Third Party Plaintiff,)

v.)

ALLIED CONSULTING ENGINEERING)
SERVICES, INC., ANDOVER CONTROLS)
CORPORATION, R&R WINDOW)
CONTRACTORS, INC., and DELTA)
KEYSPAN, INC. n/k/a DELTA)
KEYSPAN, LLC et al.)
Third Party Defendants.)

EXPERT DESIGNATION OF THE DEFENDANT ADP MARSHALL, INC.

In accordance with this Honorable Court's Second Scheduling Order issued October 5, 2004, Defendant/Plaintiff-in-Counterclaim, ADP Marshall, Inc. (hereinafter "ADPM") hereby

submits, as ordered by the Court, the following expert designation:

William J. Goode, PE, CPE

ADPM intends to call William J. Goode of the W.J. Goode Corporation, as an expert witness at trial. Mr. Goode is an engineer licensed in the Commonwealth of Massachusetts, and in the states of New Hampshire, New York, and Rhode Island. He has over 30 years of experience in the fields of mechanical and design engineering, and in acting as a consulting engineer and construction management consultant assisting in the building, renovation, operation, design of buildings and structures. Mr. Goode received a B.S. in Mechanical Engineering from Northeastern University in Boston, Massachusetts and a Master of Science Degree in Engineering Management, also from Northeastern University in Boston, Massachusetts.

Mr. Goode is expected to testify regarding the design and construction of the HVAC system for the Project located at 151 Maritime Street, Fall River, MA (the "Project"). Mr. Goode has received and reviewed relevant portions of the specifications, equipment operating and maintenance manuals, and other records of the Project pertaining to this action. Mr. Goode will respond to and rebut the allegations of the MDFA and its experts concerning the design and construction of the HVAC system, its performance and industry standards. Mr. Goode will testify about the program, contract requirements, and changes to the contract.

Specifically, Mr. Goode will testify about the contract and design requirements for the sizing of the air intake louver, the ductwork leading to the AHU's, and the capacity/sufficiency of the AHU's to service the "knuckle" of the building. He will also testify about the proper installation of the hot water pumps, the piping loop within the penthouse, and the heating loop. He will also comment on the sufficiency of the heating units.

Mr. Goode's testimony is subject to review and modification upon receipt of additional materials obtained throughout the course of discovery.

Respectfully submitted,

DEFENDANTS,
ADP Marshall, Inc.
By their attorneys,

A handwritten signature in black ink, appearing to read "Andrew J. Tine", with a long horizontal flourish extending to the right.

Andrew J. Tine (BBO#633639)
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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing expert designation via United States Mail postage prepaid this 24th day of March, 2005 to the following:

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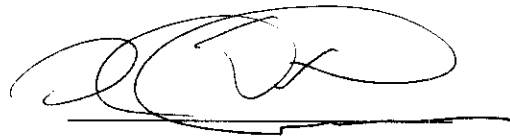
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A handwritten signature in black ink, appearing to read 'Glenn H. Haese', with a horizontal line underneath.

Glenn H. Haese